

Exhibit No. 9
Dr. David R. Fowler's Report

David R. Fowler,
MB, ChB, M. Med Path (Forens)
1408 Phoenix Rd
Phoenix
MD 21131
(410 472 0688)

James Ruckle Jr
Assistant County Attorney
Historic Courthouse
400 Washington Ave.
Towson
MD 21204

September 20, 2013

RE Robin A. Burkart.

Dear Mr. Ruckle

I am a board certified forensic pathologist, Chief Medical Examiner for the state of Maryland, and have been actively practicing pathology since 1986.

Thank you for forwarding this case to me for review.

I have reviewed the following records.

Deposition of Robin A. Burkart
Maryland Ambulance information sheet
Franklin Square Hospital records
Daniel L. Picard, MD.
Advanced radiology reports
Manor Care records
Medlantic healthcare group records
Kaiser Permanente records
University of Maryland Orthopedic Department records
Physiotherapy Associates records
UMMC
University Physicians
Hanger clinic records
American Radiology
Police Report

Synopsis of events.

Police reportedly responded to the home of Robin Burkart after several 911 calls were received from this residence. On arrival the police reportedly knocked on the door and reportedly allowed into the house. According to miss Burkart's statement there were three officers who entered the home. Reportedly two officers accompanied Mr. Burkart's husband into the basement while the third officer remained with her on the landing.

The police were reportedly investigating a 911 call that indicated someone was hanging in the basement. At this time according to her deposition Ms. Burkart told officers to leave the house. Two officers responded to the basement to investigate the statement and officer Dickel remained on the landing. According to a statement Ms. Burkart was being abusive verbally and was instructed by officer Dickel to keep quiet. Ms. Burkart's statement then indicates that she then walked into the kitchen and while doing so something struck in the back of the head causing her to fall to the floor. At this time this Burkart states "then the officer grabs me by my leg, pulls me out of the kitchen. He pushes my leg up, like for why I don't know, pushes my leg up, begins to twist and twist and twist and twists, and then I knew it was Ofc. Dickel, because I read his badge, okay?"

Ms. Burkart describes 3 distinct pops while the leg was being twisted.

Medical Findings.

The medical records indicate a left tibial plateau fracture, left fibula head fracture and damage to the left popliteal artery and vein. There is no record of ligament or cartilage injury to the knee.

Opinion

All opinions expressed are within a reasonable degree of medical certainty.

Tibial plateau fractures are typically of two types. Low energy fractures are seen in the elderly and usually of the depressed type. High energy fractures of this weight bearing surface are seen in sports injuries, falls and motor vehicle accidents.

Twisting forces on the knee typically cause soft tissue injury such as ligamentous or cartilaginous injuries. No such injuries were documented in the clinical records.

The twisting and pulling and the popping sound at that time as described by Ms. Burkart are not consistent with the fractures seen in this case.

I reserve the right to amend any facts or opinion if the information supplied changes.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Fowler', with a stylized flourish at the end.

David R. Fowler MB. ChB. M.Med. Path. Forens